

ASSEMBLY BILL

No. 1892

Introduced by Assembly Member Mendoza

February 16, 2010

An act to amend Sections 87861, 87863, 87866, and 87867 of, to add Section 87861.5 to, and to repeal Section 87868 of, the Education Code, relating to community colleges.

LEGISLATIVE COUNSEL'S DIGEST

AB 1892, as introduced, Mendoza. Community colleges: part-time faculty: health insurance.

(1) Existing law establishes the California Community Colleges, administered by the Board of Governors of the California Community Colleges, as one of the segments of public postsecondary education in the state. Existing law requires the board to appoint a chief executive officer, known as the Chancellor of the California Community Colleges, and requires the chancellor to execute the duties and responsibilities delegated to him or her by the board. Under existing law, each community college district is administered by a governing board.

Existing law establishes the Part-time Community College Faculty Health Insurance Program, which authorizes the governing board of a community college district to provide a program of health insurance for part-time faculty and their dependents. Existing law defines "part-time faculty," for the purposes of the program, as any faculty member whose teaching assignment equals or exceeds 40% of the cumulative equivalent of a minimum full-time teaching assignment. Existing law provides that specified provisions of the program shall be operative in any fiscal year only if funds are appropriated for purposes of the program in the annual Budget Act or in another measure and

expresses legislative intent that ongoing funding for the program be subject to annual Budget Act appropriations.

This bill would delete those limitations, thereby making those provisions of the program operative regardless of fiscal year. The bill would express the intent of the Legislature, commencing with the 2011–12 fiscal year, to appropriate sufficient funds to reimburse participating community college districts for the costs incurred by the districts in paying health insurance premiums for eligible part-time faculty pursuant to the program.

(2) Existing law requires the Chancellor of the California Community Colleges, by June 15 of each year, to apportion to each community college district that establishes a health insurance program pursuant to the Part-time Community College Faculty Health Insurance Program, an amount that equals up to $\frac{1}{2}$ of the total cost of the individual enrollment premiums required to be paid for the health insurance coverage of participating part-time faculty and their dependents in the district.

This bill, instead, would require the chancellor to apportion to each community college that establishes a program an amount equal to the total cost of the individual enrollment premiums required to be paid for the health insurance coverage.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 87861 of the Education Code is amended
2 to read:
3 87861. For the purposes of this article:
4 (a) “Health insurance benefits” include medical benefits but do
5 not include vision or dental benefits.
6 (b) “Part-time faculty” refers to ~~any~~ a faculty member whose
7 teaching assignment equals or exceeds 40 percent of the cumulative
8 equivalent of a minimum full-time teaching assignment.
9 ~~(c) The changes made to subdivision (b) during the 1999 portion~~
10 ~~of the 1999–2000 Regular Session of the Legislature shall be~~
11 ~~operative in any fiscal year only if funds are appropriated for~~
12 ~~purposes of those changes in the annual Budget Act or in another~~
13 ~~measure. If the amount appropriated in the annual Budget Act or~~
14 ~~in another measure for purposes of this section is insufficient to~~

1 ~~fully fund those changes for the fiscal year, the chancellor shall~~
2 ~~prorate the funds among the community college districts affected~~
3 ~~by this section.~~

4 SEC. 2. Section 87861.5 is added to the Education Code, to
5 read:

6 87861.5. Commencing with the 2011–12 fiscal year, it is the
7 intent of the Legislature to appropriate sufficient funds to reimburse
8 all participating community college districts for the costs incurred
9 by those districts in paying health insurance premiums for eligible
10 part-time faculty pursuant to this article.

11 SEC. 3. Section 87863 of the Education Code is amended to
12 read:

13 87863. (a) A part-time faculty member and his or her eligible
14 dependents are eligible to participate in the program established
15 pursuant to this article.

16 ~~(b) The changes made to subdivision (a) during the 1999 portion~~
17 ~~of the 1999–2000 Regular Session of the Legislature shall be~~
18 ~~operative in any fiscal year only if funds are appropriated for~~
19 ~~purposes of those changes in the annual Budget Act or in another~~
20 ~~measure. If the amount appropriated in the annual Budget Act or~~
21 ~~in another measure for purposes of this section is insufficient to~~
22 ~~fully fund those changes for the fiscal year, the chancellor shall~~
23 ~~prorate the funds among the community college districts affected~~
24 ~~by this section.~~

25 (c)

26 (b) Any changes made pursuant to this section to the Part-time
27 Community College Faculty Health Insurance Program shall not
28 affect any part-time health insurance program in effect on January
29 1, 2000.

30 SEC. 4. Section 87866 of the Education Code is amended to
31 read:

32 87866. The governing board of each community college district
33 that establishes a program pursuant to this article shall do both of
34 the following:

35 (a) ~~Negotiate with the exclusive representative as to the payment~~
36 ~~of the portion of the health insurance premium that is not funded~~
37 ~~by the state concerning health insurance benefits for part-time~~
38 ~~faculty.~~

1 (b) By June 1 of each year, send verification to the Chancellor
2 of the California Community Colleges as to the number of
3 participants in the program.

4 SEC. 5. Section 87867 of the Education Code is amended to
5 read:

6 87867. By June 15 of each year, the Chancellor of the
7 California Community Colleges shall apportion to each community
8 college district that establishes a program pursuant to this article
9 an amount that equals ~~up to one-half of~~ the total cost of the
10 individual enrollment premiums required to be paid for the health
11 insurance coverage of participating part-time faculty and their
12 dependents in the district. The chancellor shall distribute funds
13 that have been appropriated specifically for this purpose
14 proportionally based on each district's total costs for premiums
15 for those districts that submit verification of the costs of premiums
16 for eligible employees for a fiscal year, ~~but in no event shall the~~
17 ~~allocation to any district exceed one-half of the cost of the verified~~
18 ~~premiums.~~ If funds appropriated for this purpose exceed ~~one-half~~
19 ~~of the total~~ verified cost of premiums for all participating districts
20 statewide, the balance that exceeds that amount shall revert to the
21 General Fund annually.

22 SEC. 6. Section 87868 of the Education Code is repealed.

23 ~~87868. It is the intent of the Legislature that ongoing funding~~
24 ~~for the purposes of this article be subject to annual Budget Act~~
25 ~~appropriations.~~